

REMARKS

[Insert Remarks here.]

Following a careful review of the prior art cited by the Examiner, in particular the patent to Theurer et al., the claims have been amended in a manner to more particularly point out the fundamental respects in which the method of the present invention differs from what Theurer teaches.

In particular, the present invention differs fundamentally from the Theurer invention in that the present invention involves unloading the ribbon rails one at a time from the rail car, with each rail being disconnected from the adjacent rail which is end-to-end with it. In other words, in accordance with the method of the present invention, the rails are unloaded one at a time and are arranged generally end to end on the railway bed, but are disconnected from one another.

Claim 1 has been expressly amended to point this out in particular. Thus, the second rail is recited as being disconnected from the first rail at the time that the first rail is on the railway bed. Also, after the second rail is unloaded onto the railway bed, it remains disconnected from the first rail.

This is fundamentally different from the Theurer method. Theurer necessarily connects adjacent rails together while they remain on the equipment. As the Theurer patent expressly states, “the two immediately neighboring ends of the successive long rails 3 are connected to each other by a fish plate connection 41”. (Theurer patent, column 7, lines 47-49). This is also shown in Fig. 1, where the fish plate 41 is shown connecting adjacent ends of two end-to-end rails while both rails remain on the equipment. Accordingly, the Theurer patent does not teach

the unloading of rails end-to-end while the rails remain disconnected from one another. On the contrary, the rails are connected with one another before they are unloaded.

For this reason, it is respectfully submitted that the method of amended claim 1 differs significantly from what the Theurer patent teaches. Moreover, the method of the present invention is advantageous from a practical standpoint. In this respect, it is noted that the rails have to be manipulated while they are on the ground. The Theurer rails are all connected in one long rail, and they are thus difficult to manipulate while on the ground. In contrast, the present invention is directed to a method in which the individual rail sections remain disconnected and can thus be easily moved and manipulated on the ground to the proper positions and then connected.

Accordingly, the method of the present invention not only differs from what is taught by the Theurer patent, but it represents a significant advance in that it makes the maintenance of rails more easily accomplished than is the case with the Theurer patent.

Claim 2 is submitted to be allowable for substantially the same reasons as amended claim 1. Again, claim 2 has been amended to recite that the adjacent rails are disconnected from one another when they are unloaded onto the railway bed. For the reasons previously given in connection with claim 1, this distinguishes the method of amended claim 2 from anything remotely suggested by the Theurer patent.

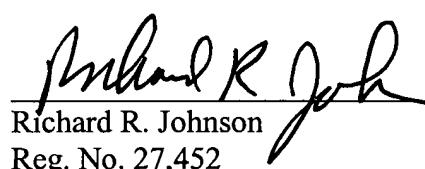
Claims 3 and 4 are dependent claims which are allowable by reason of their dependence upon an allowable parent claim 1, as well as on their own merits. Theurer does not teach first and second generally in line thread boxes as claim 3 recites, and it certainly does not teach three generally in line thread boxes as claim 4 recites. The use of plural in line thread boxes for each

rail is submitted to be a significant improvement in that it enhances the reliability and stability of the unloading operation. Because nothing remotely similar is suggested by the Theurer patent, it is respectfully submitted that adding claims 3 and 4 are clearly allowable.

In summary, it is submitted that all of the amended claims are allowable and that this application is in full condition for allowance. A formal notice to that effect is requested in due course. If the Examiner believes that a telephone conference will in any way expedite the handling of this case, he is invited to call the number listed below at his convenience.

Respectfully submitted,

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